



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,689	12/08/2003	David Lapaze	ZBBF-P01-001	3281
28120 7590 12/10/2008				
ROPES & GRAY LLP				
PATENT DOCKETING 39/41				
ONE INTERNATIONAL PLACE				
BOSTON, MA 02110-2624				
EXAMINER				
JEAN, FRANTZ B				
ART UNIT		PAPER NUMBER		
2454				
MAIL DATE		DELIVERY MODE		
12/10/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/731,689

**Applicant(s)**

LAPEZE ET AL.

**Examiner**

Frantz B. Jean

**Art Unit**

2454

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-69 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-69 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

This office action is in response to applicant's arguments filed on 09/22/08. Claims 1-69 are still pending in the application.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-69 are rejected under 35 U.S.C. 102(e) as being anticipated by Turnbull et al. hereinafter "Turnbull" US publication Number 2005/0149617 A1.

The prior art to Turnbull is a continuation-in-part of application number 09/991,794 filed on November 26, 2001. Both applications contain the same specification.

As per claim 1, Turnbull teaches a method of managing contact events across an enterprise (see fig 1-3 and 7-15; par 0054-0055), comprising: a. in response to a contact event, actuating a contact management system having control over a primary contact library (fig 1 and 10-12; par 0054-0055; 0070; 0076-0077); b. under control of the contact management system, retrieving information associated with the contact event from the primary contact library (0054-0055; 0070); c. if new information is associated with the contact event, updating, based on the new information and under the control of the contact management system, the information associated with the

contact event in the primary contact library (0070-0073 and 0082); and d. disseminating, to at least a portion of the enterprise, the updated information associated with the contact event (0070-0073 and 0082).

As per claim 2, Turnbull teaches a method of claim 1, further comprising processing the contact event according to at least one predetermined rule (par 0070-0073 and 0082).

As per claim 3, Turnbull teaches a method of claim 2, wherein the processing comprises executing at least one command in response to the contact event (par 0054-55 and 0082).

As per claim 4, Turnbull teaches a method of claim 3, wherein the at least one command belongs to the group consisting of: responding to the contact event, assigning the contact event to at least one user associated with the enterprise, spawning at least one process within a system belonging to the enterprise, launching at least one server-based process, and a combination thereof (par 0054 and 0082).

As per claim 5, Turnbull teaches a method of claim 1, wherein the contact event belongs to the group consisting of: a telephone call, a fax transmission, a pager message, an electronic text message, a still image communication, a video communication, an audio communication, a voice communication, an office visit, a paper-based communication, and any combination thereof (par 0054-0055; par 0082).

As per claim 6, Turnbull teaches a method of claim 1, wherein the information associated with the contact event is uniquely identifiable by an associated plurality of parameters (par 0068 and 0082).

As per claim 7, Turnbull teaches a method of claim 6, wherein the associated plurality of parameters comprise text, at least one flag, at least one code, or a predetermined combination thereof (par 0054-0055, 0068 and 0082).

As per claim 8, Turnbull teaches a method of claim 1, wherein the disseminating is performed according to a method belonging to the group consisting of: real-time updating, updating based on a predetermined schedule, updating based on a random schedule, on-demand updating, updating based on feasibility, and a combination thereof (par 0075-0076).

As per claim 9, Turnbull teaches a method of claim 1, wherein the contact management system comprises: a. a primary server; b. at least one client station capable of interacting with the primary server to exchange information; and c. a primary contact manager software application executing on the primary server and capable of managing the primary contact library (see fig 1-3 and 7-15; par 0054-0055 and 0082).

As per claim 10, Turnbull teaches a method of claim 9, wherein the primary server and

each of the at least one client station can operatively interact according to a communication mode selected from the group consisting of: wired, wireless, and a combination thereof (see fig 1-3 and 10-12).

As per claim 11, Turnbull teaches a method of claim 9, wherein each of the at least one client station can operatively interact with the primary server across a network selected from the group consisting of: a local-area network (LAN), a wide-area network (WAN), a virtual private network (VPN), a cellular network, a wireless network, a wired network, the internet, an intranet, and a combination thereof (par 0103).

As per claim 12-69, they contain the same limitations as discussed in claim 1-11 above. Therefore, they are rejected under the same rationale.

### ***Response to Arguments***

Applicant's arguments filed 09/22/08 have been fully considered but they are not persuasive.

Applicant argued that Turnbull fails to disclose or teach a method of managing contact events across an enterprise. Furthermore, Turnbull does not teach the recited step of retrieving, updating and disseminating information associated with a contact event.

Examiner submits that Turnbull teaches all the limitations of the invention as claimed. Specially, paragraph 0070 describes the features argued by applicant such as managing content and retrieving and updating information (In order to provide some of

the custom call control features, data stored in the mail and contact management system 202 is used. The client programs 210 permits the user 110 to select personal contacts within certain of the call control elements available in the service editor 224, and when creating or modifying one-time messages for a specific caller. In order to display the list of personal contacts, the client program 210 interacts with the mail and contact management system 202 to retrieve a list of available contacts and their phone numbers. The list is then presented to the user in drop-down "combo boxes" so that the user may select either a personal contact, or add a personal contact to the list of contacts. Once a personal contact is selected, the client program 210 records information identifying the contact within the mail and contact management system 202 using a generic pointer so that the personal contact record can be retrieved again later by searching the mail and contact management system 202). Furthermore, paragraphs 0050-0054 and 0073 disclose some other features that are pertinent to the claimed invention as written. Accordingly, the rejection should be maintained. Applicant is requested to review the prior art of record for further consideration.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz B. Jean whose telephone number is 571-272-3937. The examiner can normally be reached on 8:30-6:00 M-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Frantz B. Jean/  
Primary Examiner, Art Unit 2154